

November 12, 2008

TO: Teresa Parsons
Director's Review Program Supervisor

FROM: Kristie Wilson
Director's Review Investigator

RE: **Swaibu Matovu v. Seattle Community College (SCC)**
Allocation Review Request No. ALLO-07-117

On September 9, 2008, a Director's Review meeting took place by telephone conference call concerning the allocation of Swaibu Matovu's position. Present during the telephone conference call were Swaibu Matovu, SCC; Jennifer Mason, WFSE; Sandy Duron, WFSE; Dan Sutcliffe, Shop Steward; Kathy Vedvick, HR Director; Bear Holmes, Director of Facilities; Eric Steen, Maintenance Supervisor; and myself.

Investigator Finding

My review finds that Mr. Matovu's position is properly allocated as a Maintenance Mechanic 1 (MM 1).

Background

On June 11, 2007, Mr. Matovu submitted a Position Questionnaire (PQ) to SCC HR Office requesting that his position be allocated to a Maintenance Mechanic 2 (MM 2). Ms. Vedvick reviewed his request and issued her decision by letter dated November 9, 2007 (Exhibit A-1). In her letter Ms. Vedvick outlined the reasons and basis for her denial. On November 20, 2007, Mr. Matovu filed a request for a Director's review.

Summary of Mr. Matovu's perspective

Mr. Matovu feels that the majority of his time is spent on plumbing assignments. Mr. Matovu asserts that when plumbing work orders come in, they are assigned to him. Mr. Matovu explained that ever since the previous MM 2 left the college he has been assigned his duties. Mr. Matovu asserts that he completes all assignments on time, and since these assignments are mostly verbal assignments there is no proof that he is performing the higher level duties. Mr. Matovu states that he has been denied the MM 2 job classification but still performs the duties.

Mr. Matovu feels the decision to deny his MM 2 allocation was unfair. Mr. Matovu included work orders (Exhibit B-6) and copies of email work orders (Exhibits A1-27) showing his assigned plumbing jobs. Mr. Matovu believes that 60% of his duties are performing plumbing assignments.

Mr. Matovu included pictures of the jobs he has performed (Exhibits B1-14) which includes:

- Installing sewer pump
- Replacing two water heater tanks
- Replacing wiring in the cooling pump
- Installing oil drain system

Mr. Matovu contends that all of these assignments were performed on his own. Although Mr. Matovu handles other maintenance issues, he feels that the majority of his job duties are spent performing plumbing work which does not fit into the MM 1 job class. Therefore, Mr. Matovu believes his position should be allocated to a MM 2.

SCC's Rationale

SCC states that Mr. Matovu's position questionnaire (PQ), signed June 11, 2007 (Exhibit B-1), is accurate. Ms. Vedvick compiled a synopsis of the work orders by type of jobs that were done (Exhibit A – SCC reallocation determination letter). Ms. Vedvick sent the synopsis to Mr. Matovu to see if he agreed with the work performed and Mr. Matovu did agree. The synopsis indicated that the majority of Mr. Matovu's plumbing duties were:

- Fixing leaking sinks, faucets, and urinals
- Unclogging drains
- Repairing floor drains
- Installing thermo control device on sinks

Ms. Vedvick asserts that after careful review of all the written and verbal information received, she determined that the MM 1 classification best describes Mr. Matovu's duties and responsibilities. Ms. Vedvick feels with additional training and skill development, the MM 2 classification for Mr. Matovu is achievable.

Mr. Steen's Comments (Mr. Matovu's immediate supervisor)

Mr. Steen feels that Mr. Matovu is working at the skill level of a MM 1 and that the work orders submitted were a good example of the MM 1 position. Mr. Steen states that there are two journey-level plumbers (MM 2's) and that Mr. Matovu's jobs are performed under the technical direction of an MM 2. Although, Mr. Matovu may perform the majority of the technical plumbing work independently, his work is frequently checked by an MM 2 to ensure it is done properly and that Mr. Matovu is kept on track. Mr. Steen indicated on Part 3 of the PQ (Exhibit

B-37) that Mr. Matovu's major duties will change seasonally. For example, more roof repairs in the winter and more painting in the summer.

Mr. Steen believes that Mr. Matovu has demonstrated steady improvement in his ability to take on projects and succeed on his own by problem solving and improved skill levels with a can do attitude. Mr. Steen feels that if Mr. Matovu continues to apply himself and improves his skills by taking direction from the journey level workers in the shop that he would be assigned tasks of increased complexity and difficulty which will enable him to grow to the next level.

Reason and Basis for Finding

The definition for MM 2 class series states:

This is the journey, working or occupational level of the series. Positions at this level perform a variety of skilled work in the operation, maintenance, repair, remodeling and construction of buildings, grounds, machinery, mechanical facilities and equipment, and hospital facilities, systems and equipment. Incumbents work independently and utilize a general knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.

Mr. Matovu states in his PQ that 60% of his work performed is plumbing. On Mr. Matovu's PQ (Exhibit B-1) he indicates that the 60% of his plumbing duties include changing faucets, repair toilets, drinking fountains, etc.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

I have reviewed the work orders and the PQ for Mr. Matovu's position and conclude that Mr. Matovu's duties do not rise to the level of an MM 2 classification.

The definition for MM 1 states:

Positions perform semi-skilled and sub journey work in the maintenance, repair, remodeling, alterations and construction of buildings, grounds, facilities, and equipment. Positions are used as general repairers when no immediate journey level tradesperson is available. General repairer positions are used when it would be impractical to have several journey level tradespersons on site. Other positions perform a variety of semi-skilled maintenance duties requiring a limited knowledge of various trade skills. These

positions work independently in routine maintenance assignments or under the technical direction of a journey level position.

Although plumbing work is periodically the dominate work needing to be accomplished by Mr. Matovu's position, I believe his position still falls within the MM 1 classification. Mr. Matovu has a working relationship with journey level plumbers who agree to oversee more difficult plumbing work. Mr. Matovu's position is intended to cover a broad range of sub-journey level trades' work, including electrical, building repairs, and painting, in addition to plumbing. As previously noted by the Personnel Resources Board (PRB), the guidance provided in the Department of Personnel's Classification and Pay Administrative Guide establishes that the following standards are primary considerations in allocating positions:

- a) Category concept (if one exists).
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

After reviewing the documentation and comments from all parties with regard to Mr. Matovu's assigned duties and responsibilities, I conclude the MM 1 classification best describes Mr. Matovu's position.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

cc: Swaibu Matovu, SCC
Jennifer Mason, WFSE
Kathy Vedvick, HR Director
Lisa Skriletz, DOP

Enclosure: Exhibit List